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9 Attorneys for Defendant  
Schiff Nutrition International, Inc.

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA

13 RICHARD R. SWILLINGER,

14 Plaintiff,

15 v.

16 SCHIFF NUTRITION INTERNATIONAL,  
17 INC.

18 Defendant.

Case No. C07-00986 PJH

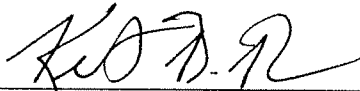
**STIPULATION OF DISMISSAL WITH  
PREJUDICE AND ORDER**

**The Honorable Phyllis J. Hamilton**

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20 Plaintiff Richard R. Swillinger and defendant Schiff Nutrition International, Inc.,  
21 through their undersigned counsel, hereby stipulate and agree that, pursuant to Rule 41(a)(1)(ii) of  
22 the Federal Rules of Civil Procedure, this action shall be and hereby is dismissed with prejudice  
23 in its entirety. Each party shall bear its own attorneys' fees and costs.  
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1 DATED: December 14, 2007

2 STOEL RIVES LLP

3  
4 By:   
5 Attorneys for Defendant  
6 Schiff Nutrition International, Inc.

7 DATED: December \_\_, 2007

8 Forden Athearn, Esq.

9  
10 By: \_\_\_\_\_  
11 Attorney for Plaintiff Richard R. Swillinger

11-21-07 15:15

From-**STOEL RIVES LLP**

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DATED: December \_\_, 2007

**STOEL RIVES LLP**

By: \_\_\_\_\_  
Attorneys for Defendant  
Schiff Nutrition International, Inc.

DATED: November 25  
~~December~~ 2007

Forden Arhearn, Esq.

By: *Richard R. Swillinger*  
Attorney for Plaintiff Richard R. Swillinger

12/17/07



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14 RICHARD R. SWILLINGER,

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16 v.

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INC.

18 Defendant.

Case No. C07-00986 PJH

**DECLARATION OF SERVICE OF  
STIPULATION OF DISMISSAL WITH  
PREJUDICE**

**The Honorable Phyllis J. Hamilton**

21 The undersigned declares that a true and correct copy of the Stipulation of Dismissal  
22 with Prejudice, along with a copy of this Declaration of Service, was mailed this 14<sup>th</sup> day of  
23 December, 2007, via U.S. First Class Mail, postage pre-paid, to Forden Athearn, Attorney for  
24 Plaintiff Richard R. Swillinger, at his address of record.  
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1 DATED: December 14, 2007  
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STOEL RIVES LLP

By: 

Michelle M. Cerutti  
Legal Assistant